

*E. Clayton Knowles*  
U.S. Magistrate Judge

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE

UNITED STATES OF AMERICA,

Plaintiff,

v.

JAMES W. CARELL, ET AL.

Defendants.

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No. 3:09-cv-00445

Judge Wiseman

Magistrate Judge Knowles

**DEFENDANTS JAMES W. CARELL FAMILY TRUST AND  
DIVERSIFIED HEALTH MANAGEMENT INC.'S MOTION TO  
REQUEST EARLIER ACTION ON MOTION**

In accordance with Local Rule 7.01, Defendants Diversified Health Management, Inc. and the James W. Carell Family Trust ("Defendants") respectfully request that the Court act on their pending Motion to Shorten Time for Responses to Request for Production (Doc. 124) prior to the expiration of the 10-day period established by the Local Rules.

Defendants served two Requests for Production on Plaintiff United States of America ("Plaintiff") after a dispute arose regarding the privileged status of documents used by a witness to prepare for his deposition. Defendants asked Plaintiff to agree to a shortened response time for those Requests, since Plaintiff already had refused on the record to produce the requested documents and since the parties are taking depositions to which those documents are relevant. When Plaintiff refused to agree to shorten the response time, Defendants filed their Motion to Shorten Time and asked this Court to order Plaintiff to respond to the two Requests by Tuesday, June 1, 2010.<sup>1</sup> Defendants now ask this Court to act on their Motion to Shorten Time prior to the expiration of the 10-day period provided for in Local Rule 7.01. The Motion to Shorten Time essentially will be rendered moot if not ruled on before the expiration of the 10-day period, and

<sup>1</sup> That response date gives Plaintiff 15 days, instead of the standard 30 days, to respond to the two Requests for Production.